IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 21946 of 2005

Between:

G.Mahesh Reddy.

..... PETITIONERS

AND

1. The Government of Andhra Pradesh,

rep. by its Secretary, General Administration,

Secretariat Buildings, Saifabd, Hyderabad, and 4 others.

.....RESPONDENTS

ORDER: **(Per Hon'ble Sri Bilal Nazki, The Acting Chief Justice)**

Nobody appears for the petitioner. We have heard the learned Government Pleader for the respondents.

This writ petition has been filed in public interest, and directions have been sought from this Court that the respondents should exercise their power under Section 4 of the Andhra Pradesh Ancient and Historical Monument Archaeological Sites and Remains Act, 1960, and notify the Budhist site in Phanigiri Village, Nalgonda district. Petitioner also wants that there should not be any excavation without proper supervision of an expert body.

Counter has been filed by the 2nd respondent-Director of Archaeology and Museums, Government of Andhra Pradesh, who has stated that the Budhist site at Nalgonda District has been declared as a protected monument under the Hyderabad Ancient Monuments Preservation Act, 1337 F, and a notification had been published in the Government Gazette on June 11, 1953 Page No.681. The Hyderabad Ancient Monuments Preservation Act was repealed by the Andhra Pradesh Ancient and Historical Monument Archaeological Sites and Remains Act, 1960. As per Section 3 of the Andhra Pradesh Ancient and Historical Monument Archaeological Sites and Remains Act, 1960, all the monuments and Archaeological sites which have been declared protected under the Hyderabad Ancient Monuments Preservation Act 1337 F, shall be deemed to be ancient and historical monuments for the purposes of the Andhra Pradesh Ancient and Historical Monument Archaeological Sites and Remains Act. Ultimatelty, it is stated that Phanigiri Buddhist site is already a protected monument of archaeological department, and the excavations are conducted only after complying with the provisions of the Andhra Pradesh Ancient and Historical Monument Archaeological Sites and Remains Act Act.

In view of the same, we do not think any further directions are needed to be given in this Writ Petition, which is, accordingly, disposed of. No costs.

(Bilal Nazki, A.C.J)

31st October, 2005

(R.Subhash Reddy, J)

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